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8 UNITED STATES DISTRICT COURT
9
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION

12 JAMES MURRAY,)
13)
Plaintiff,)
14)
v.)
15 UNITED STATES OF AMERICA,)
16 Defendant.)
_____)

No. C 04-3707 SC
E-FILING CASE

**SETTLEMENT STIPULATION AND
[PROPOSED] ORDER**

1 IT IS HEREBY STIPULATED by and between the undersigned parties and their attorneys,
2 that the appeal in this action be settled and compromised, as follows:

3 1. Defendant shall waive its costs of trial as awarded herein.

4 2. Plaintiff shall dismiss with prejudice his appeal to the U.S. Court of Appeals for the
5 Ninth Circuit in this matter, which appeal now carries Ninth Circuit Docket No. 06-16525.

6 3. Plaintiff agrees not to appeal or seek to modify the judgment entered herein.

7 IT IS SO STIPULATED.

8 **For Plaintiff James Murray.**

LAW OFFICES OF MICHAEL KECK

9
10 DATED: __10/16/06__

By: /s/
MICHAEL KECK

11
12 **For Defendant The United States of America.**

13 KEVIN V. RYAN
United States Attorney

14 DATED: __10/16/06__

By: /s/
OWEN P. MARTIKAN, AUSA

15
16 **PROPOSED ORDER**

17 Pursuant to stipulation, IT IS SO ORDERED.

18
19 DATED: __12/19/06__

20 HON. SAMUEL CONTI

